

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO

STATE OF NEW MEXICO, *ex rel.*  
State Engineer

Plaintiff,

69cv07941-BB-LFG

vs.

RIO CHAMA STREAM SYSTEM  
Section 1, Chama Mainstream

ROMAN ARAGON, *et al.*,

Subfile No. 287

Defendants.

**ORDER SUBSTITUTING PARTIES**

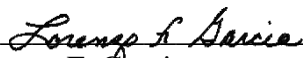
THIS MATTER is before the Court on the Motion of the Plaintiff State of New Mexico, *ex rel.* State Engineer, filed October 11, 2011 (Doc. No. 10636).

Having reviewed the Motion<sup>1</sup> and being otherwise fully advised in the premises, I find the request to be well-taken, and that it should be GRANTED.

IT IS ORDERED, THEREFORE, that Matthew R. Montoya, Ray E. Montoya, Sr., and Petronila J. Montoya are substituted for defendant Dennis C. Montoya in these proceedings with respect to the water rights appurtenant to Tract 20.2A in Subfile 287 (Section 1, Chama Mainstream).

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BRUCE D. BLACK  
UNITED STATES DISTRICT JUDGE

Approved:

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Lorenzo F. Garcia  
United States Magistrate Judge

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<sup>1</sup>The Motion contains a clerical error as it seeks to substitute parties pursuant to Fed. R. Civ. P. 25(a)(1) which provides for substitution upon the death of a party. The Motion indicates that the reason for the substitution is the sale by one party of his interest in the subject water right. Consequently, the appropriate basis for the Motion is Fed. R. Civ. P. 25(c) Transfer of Interest.